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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

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In Re:	)	Case No.: 19-25299
Marcus K Graves	)	
	)	Chapter 13
	)	
Debtor.	)	Judge Donald R Cassling

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NOTICE OF MOTION

TO: Marcus K Graves, 1109 Tall Timbers Rd, Apt 101 Schaumburg, IL 60173 *via US mail*  
Trustee Tom Vaughn *via ECF clerk's electronic delivery system*  
U.S. Trustee, 219 S. Dearborn Suite 873, Chicago, IL 60604 *via ECF clerk's electronic delivery system*  
*See attached service list*

PLEASE TAKE NOTICE that on **September 26, 2019 at 9:30 AM** I shall appear before the Honorable Donald R Cassling at the Dirksen Federal Court, 219 S. Dearborn, Courtroom 619, Chicago, Illinois, 60604 or any judge presiding and then and there present the **Motion**, a copy of which is attached hereto.

By: /s/ David H. Cutler  
David H. Cutler  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
4131 Main St,  
Skokie, IL 60076  
Phone: (847) 673-8600

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I caused to be served, electronically or through U.S. Mail, a copy of the foregoing Notice upon the parties named above on September 19, 2019 before the hour of 6:00 p.m.

By: /s/ David H. Cutler  
David H. Cutler, esq.,

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MOTION TO EXTEND STAY

NOW COMES the Debtor, Marcus K Graves, by and through his attorneys, the law office of CUTLER & ASSOCIATES, LTD., and in support of his Motion, states as follows:

- 1) The Court has jurisdiction over the proceeding pursuant to 28 USC 1334 and the is a “core proceeding” under 28 USC 157(b)(2).
- 2) The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on September 6, 2019.
- 3) The Debtor proposed a plan that will repay 100% to his general unsecured creditors with a payment of \$775.00 for 60 months.
- 4) Within a year of this filing, the Debtor had a prior Chapter 13 case, that was filed on September 6, 2018 and subsequently converted to a Chapter 7 on December 4, 2018 and the Chapter 7 case was discharged on March 12, 2019, Case No: 18-25226.
- 5) In the prior case, Debtor converted his Chapter 13 filing to a Chapter 7 and he was successfully discharged, however he was left with debts that were not discharged.
- 6) In the instant case, Debtor will be paying his debts which were not discharged through the Chapter 7 in a Chapter 13 plan of reorganization and he intends to make his plan payments to pay his creditors in a timely manner.

- 7) In the instant case, Debtor's income is steady and he will be on payroll control to ensure timely plan payments, an order for payroll was entered on September 12, 2019.
- 8) In the instant case, Debtor has had a change in circumstances, he has been successfully discharged from a Chapter 7 bankruptcy, he intends to make timely plan payments via a payroll control order to repay his debts which were not discharged in the prior case, his income is steady and he can afford the monthly Trustee plan payments in a feasible chapter 13 plan.
- 9) Debtor has provided this Honorable Court with an affidavit of change and income and expense schedules, see the attached Affidavit and schedules I and J from his previous chapter 13 and 7 bankruptcy cases, and the schedules I and J from his current chapter 13 bankruptcy case. See Affidavit and Exhibits A, B and C respectively.

WHEREFORE, the Debtor prays that this the Honorable Court enter an Order Extending the Automatic Stay, and for such further relief that the Honorable Court may deem just and proper.

Dated: 9/19/19

Respectfully Submitted,

By: /s/ David H. Cutler  
David H. Cutler, esq.,  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
4131 Main St, Skokie, IL 60076  
Phone: (847) 673-8600